

**UNITED STATES V. FE S. GARRETT**  
**U.S.D.C. Case No. 08CR0918-L**

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**Bank of America**

Bank of America NA  
Subpoena Processing #5473  
Mail Code CA9-705-05-19  
PO Box 3609  
Los Angeles CA, 90051

DECLARATION OF CUSTODIAN OF RECORDS

Date: May 15, 2007

CHARLES A. O'REILLY, AUSA  
U.S. ATTORNEYS OFFICE  
880 FRONT STREET, ROOM 6293  
SAN DIEGO, CA 92101-8893

RE: FE. S. GARRETT

Legal Order Type: Grand Jury Subpoena Reference: 663-06APR07

Agency Case Number: 07-001-GAR/CAL-CAO Date Served: April 6, 2007

I, Francisco A. Valerio declare that I am employed by Bank of America N.A. in the Subpoena Processing Department and the Bank's designated duly authorized Custodian of Records for documents and/or information produced under the referenced legal order. The Bank reserves its right to designate another Custodian as it deems appropriate in the event an actual appearance is required concerning the records produced herein. I certify the authenticity of the records produced herewith and that they were:

- A) Made at or near the time of the occurrence, condition or event of the matters set forth by, or from information transmitted by, a person with knowledge of those matters.
- B) Kept in the course of regularly conducted activity.
- C) Made by the regularly conducted activity as a regular practice, by the personnel of the business.

The identity of the records produced are as follows: Statements, Checks, Deposits.

The enclosed records are true copies of bank records in the custodian's possession as described in the referenced legal order. I am familiar with the mode of preparation of the enclosed records and they are prepared as follows:

STATEMENTS: Each statement was prepared after the closing date of the account cycle as indicated on the statement. The statement reflects debits (from checks, point of sale, ATM and teller withdrawals, fees, etc.) and credits (deposits, etc.) to the account during the period covered by the statement.



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May 15, 2007

RE: FE. S. GARRETT

Reference: 663-06APR07

Legal Order Type: Grand Jury Subpoena Date Served: April 6, 2007

CHECKS: The checks drawn on customers's account were presented to the Bank. While processing the item, a microfilm image of the front and back of the item was taken in the sequence the item was processed. The Bank stored the microfilm in a secure facility. In response to this subpoena, the Bank retrieved the microfilm reel and produced an image of the check.

WITHDRAWALS and DEPOSITS: Withdrawals and deposits are processed by the Bank at a central processing center. When the transaction was processed, a microfilm image of the front and back of the item was taken in the sequence the transaction was processed. The Bank stored the microfilm in a secure facility. In response to this subpoena, the Bank retrieved the microfilm reel and produced an image of the item.

MISSING ITEMS: Microfilm copies of requested transactions may be missing for the following reasons: Item is not on film; film is fogged, blank, black, damaged, destroyed or not available; item is covered by another item; transaction relates to an electronic transaction; or there are other reasons that prevent the Bank from completing a thorough search of records.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 15 day of May, 2007, in the City of Los Angeles, State of California.

If you have any questions, please contact Subpoena Processing at (213) 240-6636 and provide the reference number listed.

A handwritten signature in black ink, appearing to read "F. Valerio".

Francisco A. Valerio  
Operations Team Manager  
758

PBAK:40

CERTIFICATE OF AUTHENTICITY  
OF  
BUSINESS RECORDS

I, Gabriel Arce, declare, pursuant to Title 28, U.S.C. § 1746,  
(Print Name)

that I am employed by North Island Credit Union and that my official title  
(Name of Business)

or position is Records Specialist I. I further declare that I am a custodian of records  
(Official Title or Position)

of said business and that each of the records attached hereto is the original or a duplicate (exact

photocopy) of an original record in the custody of North Island Credit Union  
(Name of Business)

I further state that:

- 1) Such records were made, at or near the time of the occurrence of the matters set forth by (or from information transmitted by) a person with knowledge of those matters;
- 2) such records were kept in the course of a regularly conducted business activity;
- 3) the business activity made such records as a regular practice; and
- 4) if such records are not the originals, such records are duplicates of the originals.

I declare under penalty of perjury the foregoing is true and correct.

5/5/7  
(Date of Execution)

Gabriel Arce  
(Print Name)

Chula Vista, CA  
(Place of Execution)

[Signature]  
(Signature)

Ref. No. 07-006-GAR/CAL-CAO

CERTIFICATE OF AUTHENTICITY  
OF  
BUSINESS RECORDS

I, Gabriel Arce, declare, pursuant to Title 28, U.S.C. § 1746,  
(Print Name)

that I am employed by North Island Credit Union and that my official title  
(Name of Business)

or position is Records Clerk I. I further declare that I am a custodian of records  
(Official Title or Position)

of said business and that each of the records attached hereto is the original or a duplicate (exact

photocopy) of an original record in the custody of North Island Credit Union  
(Name of Business)

I further state that:

- 1) Such records were made, at or near the time of the occurrence of the matters set forth by (or from information transmitted by) a person with knowledge of those matters;
- 2) such records were kept in the course of a regularly conducted business activity;
- 3) the business activity made such records as a regular practice; and
- 4) if such records are not the originals, such records are duplicates of the originals.

I declare under penalty of perjury the foregoing is true and correct.






5/8/7  
(Date of Execution)

Gabriel Arce  
(Print Name)

Chula Vista, CA  
(Place of Execution)

[Signature]  
(Signature)

Ref. No. 07-003-GAR/CAL-CAO

 PLACER SIERRA BANK	 SACRAMENTO COMMERCIAL BANK	 BANK of ORANGE COUNTY	 BANK of LODI	 SOUTHWEST COMMUNITY BANK
<i>Providing Financial Services Since 1946</i>	<i>A Division of Placer Sierra Bank</i>	<i>A Division of Placer Sierra Bank</i>	<i>A Division of Placer Sierra Bank</i>	<i>A Division of Placer Sierra Bank</i>

US Attorney's Office  
Attn: Charles A O'Reilly, AUSA  
880 Front St, Room 6293  
San Diego, CA 92101-8893

Grand Jury Subpoena Ref : FE S Garrett DBA Garretts Reaty & Mortgage

Our Reference: 033-2007

### DECLARATION OF CUSTODIAN OF RECORDS

I declare as follows:

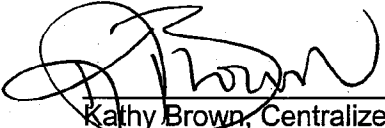
I am the duly authorized custodian of records of Placer Sierra Bank. I have the authority to certify records produced pursuant to the Grand Jury Subpoena served on Placer Sierra Bank, on or about April 5th, 2007.

The documents enclosed herewith are true and correct copies of the documents described in said Subpoena.

These documents were prepared by the personnel of Placer Sierra Bank in the ordinary course of business at or near the time of the act, condition, or event set forth in said documents.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and, if called as a witness, I could competently so testify.

Executed this 20th day of April, 2007, in Auburn, Placer County, California.

  
Kathy Brown, Centralized Operations Banking Officer  
Custodian of Records of Placer Sierra Bank



**DECLARATION**

**In Response to Subpoena Duces Tecum**

(Accompanying Production of Business Record)

I, Artin Avakyan, declare:

1. I am a duly authorized custodian of records of Washington Mutual Bank and have the authority to certify such records.
2. On April 11, 2007 Washington Mutual Bank was served with a Grand Jury Subpoena issued out of the US District Court in the action entitled Greg Garrett, identified as case number 07-007-GAR/CAL-CAO.
3. I have made, or have caused to be made, a diligent search at the offices of Washington Mutual Bank for the records described in the subpoena.

  X   Some of the records were not found and, therefore, the undersigned declares that Washington Mutual Bank has only those records described in said subpoena, which copies are enclosed herewith.

       The accompanying copies are true copies of all the records described in the subpoena that is in my possession as a custodian of records of Washington Mutual Bank.

       The accompanying copies are true copies of a portion of the records described in the subpoena that are in my possession as a custodian of records of Washington Mutual Bank.

4. These records were prepared by the personnel of Washington Mutual Bank and/or by other persons acting under the control of those personnel, in the ordinary course of business, at or near the times of the acts, conditions or events recorded herein.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct, executed this 29<sup>th</sup> day of May, 2007 at Chatsworth, California.

Sincerely,

A handwritten signature in black ink, appearing to read 'Artin Avakyan'.

Artin Avakyan  
Matter Number: 431746  
Account Services  
Washington Mutual Bank  
P.O. Box 2151  
Chatsworth, CA 91313-2151



**DECLARATION**

**In Response to Subpoena Duces Tecum**

(Accompanying Production of Business Record)

I, Artin Avakyan, declare:

1. I am a duly authorized custodian of records of Washington Mutual Bank and have the authority to certify such records.
2. On April 5, 2007 Washington Mutual Bank was served with a Grand Jury Subpoena issued out of the US District Court in the action entitled Greg Garrett, identified as case number 07-005-GAR/CAL-CAO.
3. I have made, or have caused to be made, a diligent search at the offices of Washington Mutual Bank for the records described in the subpoena.

☒ Some of the records were not found and, therefore, the undersigned declares that Washington Mutual Bank has only those records described in said subpoena, which copies are enclosed herewith.

☐ The accompanying copies are true copies of all the records described in the subpoena that is in my possession as a custodian of records of Washington Mutual Bank.

☐ The accompanying copies are true copies of a portion of the records described in the subpoena that are in my possession as a custodian of records of Washington Mutual Bank.

4. These records were prepared by the personnel of Washington Mutual Bank and/or by other persons acting under the control of those personnel, in the ordinary course of business, at or near the times of the acts, conditions or events recorded herein.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct, executed this 6<sup>th</sup> day of June, 2007 at Chatsworth, California.

Sincerely,

Artin Avakyan  
Matter Number: 431743  
Account Services  
Washington Mutual Bank  
P.O. Box 2151  
Chatsworth, CA 91313-2151



CERTIFICATE OF AUTHENTICITY  
OF  
BUSINESS RECORDS

I, SANDRA DRIES, declare, pursuant to Title 28, U.S.C. § 1746,  
(Print Name)

that I am employed by AMERICAN MORTGAGE NETWORK and that my official title  
(Name of Business)

or position is ASSISTANT VICE PRESIDENT. I further declare that I am a custodian of  
records  
(Official Title or Position)

of said business and that each of the records attached hereto is the original or a duplicate (exact

photocopy) of an original record in the custody of AMERICAN MORTGAGE NETWORK  
(Name of Business)

I further state that:

- 1) All of the information in this document is kept in our records, at or near the time of the occurrence of the matters set forth by (or from information transmitted by) a person with knowledge of those matters;
- 2) All of the information in this document was kept in the course of a regularly conducted business activity;
- 3) the business activity made this record as a regular practice; and
- 4) if such records are not the originals, such records are duplicates of the originals.

I declare under penalty of perjury the foregoing is true and correct.

AUGUST 13, 2008  
(Date of Execution)

SANDRA DRIES  
(Print Name)

SAN DIEGO, CA  
(Place of Execution)

Sandra Dries  
(Signature)

3505248.1

CERTIFICATE OF AUTHENTICITY  
OF  
BUSINESS RECORDS

I, LaNell Silverstein, declare, pursuant to Title 28, U.S.C. § 1746,  
(Print Name)

that I am employed by Sierra Pacific Mortgage and that my official title  
(Name of Business)

or position is Regional Manager. I further declare that I am a custodian of records  
(Official Title or Position)

of said business and that each of the records attached hereto is the original or a duplicate (exact

photocopy) of an original record in the custody of Sierra Pacific Mortgage.  
(Name of Business)

I further state that:

- 1) Such records were made, at or near the time of the occurrence of the matters set forth by (or from information transmitted by) a person with knowledge of those matters;
- 2) such records were kept in the course of a regularly conducted business activity;
- 3) the business activity made such records as a regular practice; and
- 4) if such records are not the originals, such records are duplicates of the originals.

I declare under penalty of perjury the foregoing is true and correct.

8/22/08  
(Date of Execution)

9095 Rio San Diego Dr. St. 110  
San Diego, CA. 92108

(Place of Execution)

LaNell Silverstein  
(Print Name)

LaNell Silverstein  
(Signature)

Ref. No. 08-078-GAR/CAL-CAO

CERTIFICATE OF AUTHENTICITY  
OF  
BUSINESS RECORDS

I, Linda C. Andreoli, declare, pursuant to Title 28, U.S.C. § 1746,  
(Print Name)

that I am employed by First American Title and that my official title  
(Name of Business)

or position is Claims Officer. I further declare that I am a custodian of records  
(Official Title or Position)

of said business and that each of the records attached hereto is the original or a duplicate (exact

photocopy) of an original record in the custody of First American Title  
(Name of Business)

I further state that:

- 1) Such records were made, at or near the time of the occurrence of the matters set forth by (or from information transmitted by) a person with knowledge of those matters;
- 2) such records were kept in the course of a regularly conducted business activity;
- 3) the business activity made such records as a regular practice; and
- 4) if such records are not the originals, such records are duplicates of the originals.

I declare under penalty of perjury the foregoing is true and correct.

5-22-08  
(Date of Execution)

Linda C. Andreoli  
(Print Name)

San Diego  
(Place of Execution)

Linda C. Andreoli  
(Signature)

Ref. No. 08-068-GAR/CAL-CAO

CERTIFICATE OF AUTHENTICITY  
OF  
BUSINESS RECORDS

I, Marianne Day, declare, pursuant to Title 28, U.S.C. § 1746,  
(Print Name)

that I am employed by Commonwealth Land Title Co and that my official title  
(Name of Business)

or position is Escrow Officer. I further declare that I am a custodian of records  
(Official Title or Position)

of said business and that each of the records attached hereto is the original or a duplicate (exact

photocopy) of an original record in the custody of Commonwealth Land Title Co.  
(Name of Business)

I further state that:

- 1) Such records were made, at or near the time of the occurrence of the matters set forth by (or from information transmitted by) a person with knowledge of those matters;
- 2) such records were kept in the course of a regularly conducted business activity;
- 3) the business activity made such records as a regular practice; and
- 4) if such records are not the originals, such records are duplicates of the originals.

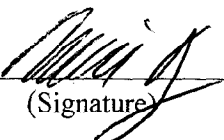
I declare under penalty of perjury the foregoing is true and correct.

May 19, 2008  
(Date of Execution)

Marianne Day  
(Print Name)

San Diego  
(Place of Execution)

Escrow #04475152

  
(Signature)

Ref. No. 08-070-GAR/CAL-CAO

CERTIFICATE OF AUTHENTICITY  
OF  
BUSINESS RECORDS

I, TAMMY QUINTANA, declare, pursuant to Title 28, U.S.C. § 1746,  
(Print Name)

that I am employed by LAUREL HILL ESCROW SERVICES, INC. and that my official title  
(Name of Business)

or position is ASSISTANT ESCROW OFFICER. I further declare that I am a custodian of records  
(Official Title or Position)

of said business and that each of the records attached hereto is the original or a duplicate (exact

photocopy) of an original record in the custody of GARRETT'S REALTY & MORTGAGE.  
(Name of Business)

I further state that:


- 1) Such records were made, at or near the time of the occurrence of the matters set forth by (or from information transmitted by) a person with knowledge of those matters;
- 2) such records were kept in the course of a regularly conducted business activity;
- 3) the business activity made such records as a regular practice; and
- 4) if such records are not the originals, such records are duplicates of the originals.

I declare under penalty of perjury the foregoing is true and correct.

JUNE 2, 2008  
(Date of Execution)

TAMMY QUINTANA  
(Print Name)

LAUREL HILL ESCROW SERVICES, INC.  
(Place of Execution)

  
(Signature)

Ref. No. 08-069-GAR/CAL-CAO

CERTIFICATE OF AUTHENTICITY  
OF  
BUSINESS RECORDS

I, April Johnson, declare, pursuant to Title 28, U.S.C. § 1746,  
(Print Name)  
that I am employed by Southland Title and that my official title  
(Name of Business)  
or position is Escrow Manager. I further declare that I am a custodian of records  
(Official Title or Position)  
of said business and that each of the records attached hereto is the original or a duplicate (exact  
photocopy) of an original record in the custody of Southland Title.  
(Name of Business)

I further state that:

- 1) Such records were made, at or near the time of the occurrence of the matters set forth by (or from information transmitted by) a person with knowledge of those matters;
- 2) such records were kept in the course of a regularly conducted business activity;
- 3) the business activity made such records as a regular practice; and
- 4) if such records are not the originals, such records are duplicates of the originals.

I declare under penalty of perjury the foregoing is true and correct.

5/16/08  
(Date of Execution)

San Diego  
(Place of Execution)

April Johnson  
(Print Name)

[Signature]  
(Signature)

Ref. No. 08-075-GAR/CAL-CAO

CERTIFICATE OF AUTHENTICITY  
OF  
BUSINESS RECORDS

I, Janelle R. Ramirez, declare, pursuant to Title 28, U.S.C. § 1746,  
(Print Name)

that I am employed by Southland Title Company and that my official title  
(Name of Business)

or position is Title Operations Manager further declare that I am a custodian of records  
(Official Title or Position)

of said business and that each of the records attached hereto is the original or a duplicate (exact

photocopy) of an original record in the custody of Southland Title Company.  
(Name of Business)

I further state that:

- 1) Such records were made, at or near the time of the occurrence of the matters set forth by (or from information transmitted by) a person with knowledge of those matters;
- 2) such records were kept in the course of a regularly conducted business activity;
- 3) the business activity made such records as a regular practice; and
- 4) if such records are not the originals, such records are duplicates of the originals.

I declare under penalty of perjury the foregoing is true and correct.

5-16-08  
(Date of Execution)

Janelle R. Ramirez  
(Print Name)

San Diego  
(Place of Execution)

[Signature]  
(Signature)

Ref. No. 08-075-GAR/CAL-CAO

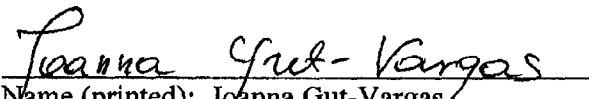
**AFFIDAVIT OF CUSTODIAN OF RECORDS**  
**CERTIFYING BUSINESS RECORDS**

My name is Joanna Gut-Vargas, and I attest that I am over eighteen (18) years of age, of sound mind, and personally acquainted with the facts herein stated:

1. I am the Custodian of Records for West Coast Escrow Company and am therefore duly authorized to execute this affidavit on behalf of the Company.
2. I processed the *Garrett* Subpoena to Testify Before Grand Jury requesting documents and/or records relating to escrow number SD-207049; real property located at 29030 Wrangler Dr., Murrieta, CA.
3. The attached records Bates Labeled (WCESD0001 – WCESD0340) are true and correct duplicates of the original file of West Coast Escrow Company. The escrow file includes business records of West Coast Escrow Company, that is, records that are made in the ordinary course of its business by an employee or representative of the Company who (1) has personal knowledge of the information being entered into the business records (2) has a duty to commit the information into the record and (3) makes such entries at or near the time of the event they purport to record. West Coast Escrow Company's files also include documents that are provided to the Company by others, including, but not limited to, lenders, real estate sellers and purchasers, appraisers, mortgage brokers, and others who customarily provide documentation related to real estate transactions. Such documents, even if they are not created by West Coast Escrow Company, are kept and maintained in the ordinary course of business by the Company and are used by the Company employees to prepare documents in connection with the real estate transactions.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this affidavit was executed on the date set forth below at Mission Viejo, California.

Dated: May 27, 2008

  
Name (printed): Joanna Gut-Vargas  
Custodian of Records, West Coast Escrow Company